

2026 Master Plan Reexamination Report

Township of Little Egg Harbor Ocean County, New Jersey

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Adopted by the Township Planning Board: _____, 2026
(Resolution # _____)

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Table of Contents

I. INTRODUCTION.....	1
II. REEXAMINATION REPORT FINDINGS	3
A. Major Problems & Objectives Related to the Last Reexamination Report.....	3
Master Plan Goals and Objectives.....	3
Master Plan Elements	6
Land Use Plan Element.....	6
Community Facilities Plan Element	7
Economic Plan Element.....	8
Circulation Plan Element.....	9
Open Space and Recreation Plan Element.....	11
Recycling Plan Element.....	11
Housing Element and Fair Share Plan	11
Stormwater Management Plan.....	12
B. The Extent to Which Such Problems and Objectives Have Been Reduced or Increased	14
Master Plan Goals and Objectives.....	14
Master Plan Elements	14
Land Use Plan Element.....	14
Community Facilities Plan Element	14
Economic Development Plan.....	15
Circulation Plan Element.....	15
Open Space and Recreation Plan	15
Housing Element and Fair Share Plan	15
Stormwater Management Plan.....	16
C. The Extent of Significant Changes in the Assumptions, Policies, and Objectives	17
Changes at the Local Level	17
Housing, Demographics, and Land Use	17
Changes Related to Local Planning Documents and Policies	21
Changes at the County Level.....	26
Ocean County Comprehensive Master Plan	26

Little Egg Harbor Township
 Master Plan Reexamination Report

Ocean County 2025 Multi- Jurisdictional All-Hazards Mitigation Plan	26
Ocean County Open Space, Parks, and Recreation Plan	27
Changes at the State Level.....	28
Sustainable & Resilient Coastal Communities: A Comprehensive Coastal Hazard Mitigation Strategy	28
2025 State Development and Redevelopment Plan	29
Resilient Coastal Communities Initiative (RCCI): Recommendations for Building Resilient Coastal Communities in New Jersey	30
Stormwater Regulations.....	31
2021 Cannabis Regulations.....	32
2019 Energy Master Plan: Pathway to 2050.....	32
Municipal Land Use Law.....	33
Electric Vehicle Charging Infrastructure	34
Local Redevelopment and Housing Law.....	35
Affordable Housing	35
New Jersey’s Statewide Comprehensive Outdoor Recreation Plan	38
New Jersey Micromobility Legislation (2019).....	39
New Jersey Senate Bill 1676 (S1676)	39
D. The Specific Changes Recommended for the Master Plan or Development Regulations ...	40
Master Plan Recommendations	40
Land Use Plan Element.....	41
Circulation Plan Element	41
Community Facilities Plan.....	42
Open Space and Recreation Plan	42
Economic Plan	42
Stormwater Management Plan.....	43
Municipal Public Access Plan (MPAP).....	43
Green Buildings and Environmental Sustainability Plan.....	43
Other Development Regulation Recommendations	43
Community Energy Plan.....	43
Zoning Map and Zoning Ordinance Recommendations.....	43
General Land Use and Development Ordinance Review	43

Little Egg Harbor Township
Master Plan Reexamination Report

Zoning Map Update 44

E. The Recommendations of the Planning Board Concerning the Incorporation of
Redevelopment Plans 45

F. The Recommendations of the Planning Board Concerning Locations Appropriate for the
Development of Public Electric Vehicle Infrastructure 46

III. CONCLUSION 47

I. INTRODUCTION

Little Egg Harbor Township is 49.5 square miles, approximately 31,680 acres, located south of Ocean County. The Township is bordered by Stafford and Eagleswood Township to the northeast and Long Beach and Beach Haven Borough Township to the southeast. It is also bordered by Bass River Township in Burlington County to the northwest and Galloway Township in Atlantic County to the southwest. The Borough of Tuckerton is entirely encompassed within the Township borders. The northwest portion of the Township is within the Pinelands National Reserve, and the southeastern portion is located on the Great Bay. According to the Pinelands Commission's 2015 Long-Term Economic Monitoring Report, 25% of the Township, or 11,582 acres, are Pineland Area designation.

The Township's first comprehensive Master Plan was adopted in 1978. The Township's Planning Board adopted the most recent Master Plan in 1999, which consisted of the following elements: Goals and Objectives, Land Use Plan, Community Facilities Plan, Economic Plan, Circulation Plan, and Relation of Master Plan to Other Plans. Other plan elements such as the Recycling Plan Open Space and Recreation Plan, Housing Element and Fair Share Plan, and Stormwater Management Plan were subsequently adopted separately. Master Plan Reexamination Reports for the Township were conducted in 1982, 1988, 2007, and 2015.

Pursuant to Section 40:55D-89 of the Municipal Land Use Law, at least once every 10 years, municipal master plans and development regulations are to be reexamined for the purpose of determining continued viability and amendments. Consideration should be given to the emergence of land use issues and external influences, such as statutory mandates that might impact the underlying basis of the master plan. The reexamination is intended to result in the articulation of planning policy issues that ensure a municipality's preeminent planning policy document, which serves as the foundation for development regulation, has continued applicability. Failure to undertake the periodic reexamination constitutes, under the law, a rebuttable presumption that the development regulations are no longer reasonable.

In accordance with the above citation, the reexamination is to address:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation,

Little Egg Harbor Township
Master Plan Reexamination Report

collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” P.L. 1992, c. 79 (C. 40A:12-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality. (L. 1975, c. 291, s. 76; amended 1980, c. 146, s. 6; 1985, c. 516, s. 18; 1987, c. 102, s. 29; 1992, c. 79, s. 50.)
- f. The recommendations of the planning board concerning locations appropriate for the development of public electric vehicles infrastructure, including but not limited to, commercial districts and, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

The 2015 Master Plan Reexamination Report depicts the extensive impact of Hurricane Sandy on the Township and incorporated the recommendations of the Strategic Recovery Planning Report. Supplemented by the 2015 Master Plan Reexamination Report, the 2026 Reexamination Report, described herein, serves as a reexamination of the 1999 Master Plan and addresses each of the statutory requirements for reexamination enumerated above and will follow such order in the following sections.

II. REEXAMINATION REPORT FINDINGS

A. Major Problems & Objectives Related to the Last Reexamination Report

The statutory charge for this aspect of the reexamination is to identify problems and objectives to the extent discussed or, alternatively, deduced from the language of the goals and objectives identified in the most recent reexamination, in this case, the 2015 Master Plan Reexamination Report and Amendment.

The 2015 Reexamination Report places special emphasis on facilitating recovery from Hurricane Sandy, including promoting resiliency to future storm impacts and other potential natural hazards. The 2015 Report outlines the extensive damage on residential properties, several small retail businesses, marinas, roadways, and electricity, water, and sewer services. With the vast impacts of Hurricane Sandy, the Township has significant concerns and reasons for promoting not only recovery from Sandy but also building resiliency to future storm impacts and other potential natural hazards.

Master Plan Goals and Objectives

The following are the goals and objectives of the Little Egg Harbor Township Master Plan:

- To reduce permitted residential densities, where appropriate, and consistent with planning efforts aimed at minimizing the fiscal impacts of new residential development and, existing conditions and potential vulnerabilities of flood-prone areas.
- To concentrate new residential and commercial development in planned centers or other growth corridors where infrastructure is available or comprehensively planned.
- To adopt land use regulations that will capitalize upon and promote the Tuckerton Seaport project.
- To adopt land use regulations that encourage a better balance among residential, commercial, and industrial land uses so as to promote improved municipal fiscal planning efforts; and minimize the potential for land use conflicts.
- To promote better coordination and consistency between State, County and Municipal planning efforts
- To coordinate with the New Jersey Highway Authority and Ocean County to continually improve the roadway system of Little Egg Harbor Township and to plan for anticipated changes brought on by growth and development.
- To promote bikeways and pedestrian walkways as a means of recreation and to lessen reliance on the automobile as the sole means of transportation.

Little Egg Harbor Township
Master Plan Reexamination Report

- To promote land use policies and regulations that encourage economic development and redevelopment that improves the Township's property tax base.
- To promote sustainability and resiliency, as well as the local-level implementation of the 2014 Ocean County Multi-Jurisdictional All Hazard Mitigation Plan and the recommendations of the 2014 Strategic Revitalization and Planning Report:
 - Objectives:
 1. Employ storm-resistant building strategies in all future municipal construction in areas to the south of the Garden State Parkway.
 2. Construct storm-resistant infrastructure, including equipment, pumps and buildings elevated above the flood hazard elevation and berms or levees to protect capital facilities.
 3. Automate and expedite the processing of building permits.
 4. Develop a GIS database and user interface to catalog and inventory all infrastructure owned by the Township, as well as to provide essential property-specific information, such as zoning, building characteristics, occupancy information, dog, and cat licenses, etc.
 5. Compile low-elevation aerials to provide high-quality aerial mapping with six-inch contours within special flood hazard areas.
 6. Ensure that local planning documents promote hazard mitigation and community resiliency.
 7. Prepare and adopt a master plan element for floodplain management.
 8. Explore opportunities to participate in the Community Rating System.
 9. Prepare a multi-year capital improvement program.
 10. Develop evacuation routes and provide signage and education.
 11. Investigate opportunities for full-time staff within local fire and EMS agencies.
 12. Investigate opportunities for shared services and mutual aid, in particular with inland communities that are not as vulnerable to major storms.
 13. Provide natural gas service for generators, as well as more generators at schools.
 14. Improve communication infrastructure for police, fire, and EMS (incl., securing of existing equipment).
 15. Improve communication between emergency management and water and electric utility companies.
 16. Prepare an updated natural resources inventory.
 17. Install a town-wide Supervisory Control and Data Acquisition (SCADA) system in conjunction with the Township's owned and operated facilities

Little Egg Harbor Township
Master Plan Reexamination Report

to communicate critical alarms to centralized location or operational personnel.

18. Strengthen Radio Road from future storm damage.
19. Install bay-front energy dissipation structures where needed.
20. Install riprap along the shoreline where needed.
21. Replenish the eroded beach at Parkertown Dock Recreation Facility.
22. Repair the Iowa Court seawall.
23. Repair bulkheads where needed.
24. Continue to participate in the National Flood Insurance Program.
25. Maintain a local emergency planning committee.
26. Hold quarterly emergency management meetings at town hall meetings.
27. Develop a reverse 911 system.
28. Maintain and update the Emergency Operations Plan.
29. Complete the flood protection project at East Sail, Boat, and Dory drives.
30. Upgrade the emergency power supply at the municipal building/emergency command center.
31. Supply the Municipal Utilities Authority with necessary on-site generators for back-up power for wells, pump stations, and its office. Generators must be installed above flood hazard elevation.
32. Adopt a township-wide debris management plan that provides the Department of Public Works with an emergency staging facility and designated debris management area.
33. Complete work to remedy siltation of inlets that occurred during Hurricane Sandy by removing sand and dredging.
34. Complete work to remedy siltation of inlets caused by storm surge during Hurricane Sandy by dredging all lagoons in the Mystic and Osborne Island areas.
35. Perform video inspection and sewer cleaning of sanitary sewer lines in the Mystic Island area and other flood-inundated sections of the township to determine where repairs or replacements are needed.
36. Adopt a township policy to encourage the elevation of residences above the advisory base flood elevation.
37. Adopt a complete streets policy to ensure that local roadways meet the needs of all types of users and all modes of circulation, including walking, bikes, cars, trucks, and buses.

Master Plan Elements

Land Use Plan Element

Based on the 1999 Land Use Plan Element, the following core objectives and underlying problems can be deduced:

Preservation & Low-Density Residential

The primary objective of these categories was to reconcile municipal zoning with the physical and environmental realities of the Township's "remote" areas. By establishing a minimum lot size of 5 acres for preservation and 2 to 5 acres for low density, the Township sought to protect freshwater and tidal wetlands while acknowledging that massive swaths of land were already under state or federal ownership.

Medium & High-Density Residential

These sections were designed to manage the "explosion" of residential growth by concentrating development in areas where infrastructure already existed. For Medium Density, it was to encourage infill while simultaneously "upgrading" (reducing) densities where existing utilities were beginning to show strain. In High-Density areas, specifically Mystic Island, the objective was to maintain the character of existing 5,000-square foot lots. The Township applied an orderly growth pattern that aligned housing intensity with actual utility and road capacity.

Multi-Family Residential

The objective for multi-family land use was narrow, limiting high-density housing almost exclusively to areas with prior approvals or existing buildings. However, a significant new objective was introduced: updating "conditional uses" to include life care, assisted living, and nursing homes across all residential zones to address the Township's growing senior citizen population.

Commercial/Business

The objective for the commercial corridors along Route 9 and Mathistown Road was to transition from restrictive "Office-Professional" designations to broader "General Business" categories. The plan identified the existing zoning as a barrier to economic development, specifically noting that the "Office" designation was too limiting for gateway corridors. By expanding the range of permitted business uses and integrating senior-care facilities into highway zones, the Township aimed to foster a more robust tax base and a "low-impact" commercial environment that complemented its suburban character.

Planned Adult Communities (PACs)

The plan sought to manage several large-scale retirement developments that were in various stages of stagnation or development. The objective was to maintain the "adult community" status of these tracts while adjusting for federal land acquisitions (as seen in the western section of Cranberry Creek) and the specific recreational needs of seniors (such as the Sea Oaks Golf Course).

Light Industry

Little Egg Harbor Township Master Plan Reexamination Report

The primary objective is land use compatibility by strategic placement of industrial activities. A corrective objective was the removal of the Light Industry designation from the Township Public Works Yard.

Parks & Recreation

The objective is the designation of all current and future-planned open spaces under this designation.

Waterfront Development

The objective for the Waterfront category was to preserve and encourage "water-related" and marine-type commercial uses in established zones.

Public Lands

Similarly, the Public Lands designation was updated to include all Board of Education and municipal holdings to ensure they were recognized as permanent community assets.

The 2015 Reexamination Report indicated that the land use designations, as discussed above, generally remain valid, and that no specific changes were recommended. However, given the experience of Hurricane Sandy and the potential for similar weather events in the future, it may be necessary to reduce residential densities in flood-prone areas.

With regards to the Parks/Recreation land use designation, the 2015 Reexamination Report indicated that the parks/recreation land use designation should be reviewed and expanded as necessary to cover all lands reflected in the 2002 Open Space and Recreation Plan Element and the Recreation and Open Space Inventory of the New Jersey Department of Environmental Protection (NJDEP).

Additionally, the 2015 Land Use Element amendments provided recommendations to facilitate increased sustainability and promote resiliency with green building and infrastructure techniques, including downspouts disconnection, rain gardens, bioswales, permeable pavements, green roofs, green roofs, tree cover, living shorelines, and open space preservations.

Community Facilities Plan Element

The existing Community Facilities Plan Element identified the following objectives:

- Municipal & Criminal Justice Complex: The Township is currently evaluating the feasibility of constructing a new Police Department and courtroom facility on the lot adjacent to the Municipal Building. This project aims to address critical needs for expanded office space, increased storage, and a secure parking area.
- Recreation and Open Space: Following the 1997 Recreation Plan recommendation for a centrally located community park, the Township successfully acquired a 117.6-acre site west of Route 539 in Tuckerton Manor. Funded in part by a Green Acres loan, this tract abuts the Mitchell Elementary School for cross-utilization. Additionally, the County is targeting a recreation acquisition site near Playhouse Road.
- Bikeway Expansion: Two key bicycle infrastructure projects are underway:

Little Egg Harbor Township Master Plan Reexamination Report

- Great Bay Boulevard: A proposed 5.8-mile bikeway, with a grant application pending for construction on the westerly side.
- Lake Street (Paper Street): A proposed 1-mile bikeway within the Atlantic Electric/Lake Street right-of-way. This path will provide a safe, off-road connection from the Pinelands Regional Schools to the new community park without requiring additional road crossings.

Hurricane Sandy resulted in damage to community facilities. Specifically, damages to the Township's Community Center, amounting to more than \$660,000. It also severely impacted Parkertown Beach and Parkertown Dock building, exposing critical vulnerabilities in public infrastructure and utility systems. To mitigate future storm risks, the Township should prioritize resiliency by implementing green building and infrastructure techniques, physical flood control and related devices, elevating facilities above the advisory base flood elevation, and upgrading emergency power systems at municipal buildings, police station, schools, and pump stations. The 2015 Reexamination recommended that the Township develop a resiliency screening process or checklist to evaluate the susceptibility of future investments.

Economic Plan Element

The core objective of the Economic Plan Element was to diversify its tax base and increase municipal revenue while minimizing the burden on public services (specifically schools).

- The Township identified a heavy reliance on residential property, which is problematic because traditional residential housing often costs more in educational services than it provides in taxes. The goal was to shift toward commercial and specialized residential uses that do not produce schoolchildren.
- The plan highlights five specific sectors to drive economic growth:
 - Senior Housing & Healthcare: High priority is placed on senior citizen developments, assisted living, and nursing homes. These are viewed as ideal "ratables" because they contribute to the tax base without adding students to the local school system.
 - Ecotourism: Leveraging the natural assets (bays, inlets, and meadows) to promote activities like boating, fishing, and bird watching. The recommendation is to encourage businesses that capitalize on the environment without damaging it.
 - Seaport Spin-offs: Capitalizing on the Tuckerton Seaport by encouraging "ancillary" businesses such as restaurants, B&Bs, and gift shops. It also identifies a specific logistical need for shuttle services and remote parking.
 - Atlantic City Support: Utilizing the Township's proximity to Atlantic City and its affordable vacant land to attract "back-office" operations (accounting, IT) and warehousing for casinos.
 - Infrastructure & Incentives: Extending water and sewer lines to key areas like the Route 539 Corridor and West Tuckerton to make them more attractive to developers.

- To implement these goals, the plan recommended:
 - Formation of a Study Group: A collaborative team (Township Committee, Planning Board, MUA, and Economic Growth Group) to oversee development.
 - Zoning Reviews: Updating local ordinances to ensure they allow for the desired tourism-related and commercial businesses.
 - Financial Incentives: Exploring the use of tax abatements and exemptions under state law to lure new enterprises.

The plan element also recommended cost sharing with adjacent municipalities (i.e., shared services) to reduce municipal expenses. However, given the experience of Hurricane Sandy, the 2015 Reexamination Report amended the cost sharing agreement section in the Economic Plan Element and provided recommendations to establish shared service agreements with inland communities that are not as vulnerable to major storms as Little Egg Harbor and other adjacent municipalities.

The 2015 Reexamination Report also recommended that the Economic Plan Element be revised to include a discussion of the Mathistown Road and Radio Road Streetscape Improvement Project. This project included installation of a five-foot wide sidewalk, new concrete curbing, benches, and decorative street lighting. While pedestrian access is improved, this project also improves the business climate, raises property values, and increases the overall desirability and attractiveness of the Township.

Circulation Plan Element

The 1999 Circulation Plan reveals a Township struggling with regional "through-traffic" congestion and the limitations of an aging road network. The primary objective was to improve the performance of the Route 9 and Garden State Parkway (GSP) corridors through coordination with state and county agencies, specifically focusing on the widening of the GSP and the modernization of key intersections like Route 539 and Mathistown Road.

A significant deduced problem was the failure of the long-proposed "Tuckerton By-Pass"; environmental constraints at Tuckerton Creek and physical obstructions like the Greenwood Cemetery rendered a major relief route unfeasible, forcing the Township to pivot toward a strategy of upgrading existing local "paper streets" and collector roads—such as Otis Bog Road and Hickory Lane—to serve as makeshift bypasses and emergency routes.

Furthermore, the plan highlights an emerging tension between traditional high-speed engineering and community safety. While the Township sought to reserve wider rights-of-way for future traffic volume, it simultaneously introduced the then-innovative concept of "traffic calming" (e.g., speed humps and chokers) to protect residential neighborhoods from the negative impacts of increased vehicle speeds. The plan also identified a lack of multi-modal infrastructure, noting the absence of commuter park-and-ride facilities on Interchange 58 and a fragmented bicycle network. Consequently, the 1999 strategy focused on formalizing a "collector" system to keep local traffic off main highways and initiating a transition toward a more balanced transportation

network that included pedestrian safety and dedicated bike paths connecting schools to residential areas.

The 2015 amendments to the Circulation Plan prioritized regional connectivity, disaster recovery, and the modernization of the Township's transportation network. Key infrastructure updates included acknowledging the completion of the Garden State Parkway widening and reaffirming the necessity of extending Otis Bog Road to support local commercial growth. Significant focus was placed on post-Hurricane Sandy restoration, specifically the hardening of Iowa Court and the repair of Radio Road, alongside the establishment of a formal Park and Ride facility at Interchange 58. Furthermore, the plan introduced a critical emphasis on emergency evacuation routes, designating key corridors like Route 9 and Route 539 for enhanced maintenance and signage to ensure safety during future climate events.

Beyond motorized transit, the amendments replaced traditional "bike paths" with a comprehensive vision for a township-wide bicycle and pedestrian network. This framework categorizes various facility types—ranging from dedicated on-road lanes to multipurpose trails and greenways—designed to link residential neighborhoods with schools, parks, and commercial nodes. The policy shift also established rigorous design and maintenance standards, calling for the creation of a permanent advisory committee and requiring all new infrastructure to meet AASHTO safety guidelines.

Roadway and Infrastructure Recommendations

- **Otis Bog Road Extension:** Secure an alternate means (beyond private development) to complete the extension of Otis Bog Road from Nugentown Road to Center Street to accommodate growth and new commercial traffic.
- **Iowa Court Seawall:** Complete the installation of a seawall and other flood protection measures along Iowa Court, Sail Drive, Boat Drive, and Dory Drive without delay.
- **Radio Road Restoration:** Finalize the coordination with Ocean County to restore the asphalt, sidewalks, and retaining walls damaged during Hurricane Sandy.
- **Evacuation Route Maintenance:** Ensure the proper maintenance of surface conditions, signalization, and signage for designated routes (GSP, Route 9, Route 539, and Great Bay Boulevard).
- **Route Modernization:** Upgrade potential evacuation routes to provide better regional connections, including improved roadway drainage and directional signage.

Transit and Commuter Recommendations

- **Park and Ride Implementation:** Open and maintain the Interchange 58 Park and Ride facility in coordination with the NJ Turnpike Authority and Ocean County.
- **Future Facilities:** Investigate the need for additional park and ride locations at other strategic points within the Township.

Bicycle and Pedestrian Network Recommendations

Little Egg Harbor Township Master Plan Reexamination Report

- **Establish an Advisory Committee:** Create a permanent advisory committee dedicated to bicycle and pedestrian facilities.
- **AASHTO Compliance:** Ensure all bicycle and pedestrian projects comply with recognized national design standards (AASHTO).
- **Signage and Mapping:** Develop a township-wide facility map for display at major destinations and install signage that alerts motorists to the presence of cyclists.
- **Safety Infrastructure:** Replace all existing sewer grates with bicycle-safe versions and provide adequate lighting for non-motorized paths.
- **End-of-Trip Amenities:** Provide safe and adequate bicycle parking at all public parks and key commercial destinations.
- **Network Connectivity:** Prioritize the development of linkages between population centers, schools, and parks, specifically targeting connections through dead-end streets and cul-de-sacs.
- **Traffic Calming:** Implement traffic calming measures at key locations to encourage the use of bicycle and pedestrian facilities.
- **Funding Exploration:** Investigate grants and open space trust funds as potential mechanisms to fund the non-motorized network.

Open Space and Recreation Plan Element

In 2002, the Township adopted an Open Space Recreation Plan (OSRP), as an update to its 1997 Recreation Plan, to serve as a guide for future open space acquisitions and recreational development in the Township. While no problems were raised about the OSRP, it was recommended that the plan be amended to account for the population growth and housing development that has occurred since 2002, as well as the current inventory of land dedicated to open space and recreation (i.e. the Recreation and Open Space Inventory (ROSI)). The ROSI was updated in 2010.

Recycling Plan Element

According to the 2015 Reexamination report, the Township developed its Recycling Plan Element with the adoption of the 2007 Master Plan Reexamination Report. A Recycling Ordinance was adopted to demonstrate its commitment to recycling. No further discussion of the Recycling Plan Element was included in the 2015 Reexamination Report.

Housing Element and Fair Share Plan

By 2015, the Township faced a period of significant legal uncertainty regarding its affordable housing obligations due to the collapse of the Council on Affordable Housing (COAH). After COAH failed to establish valid "Third Round" regulations, the New Jersey Supreme Court's Mount Laurel IV decision stripped the agency of its power and transferred oversight to the trial courts. To avoid predatory "builder's remedy" lawsuits, the Township proactively filed a Declaratory Judgment Action in June 2015, securing temporary legal immunity while it

negotiated its housing requirements. This process culminated in a 2016 settlement with the Fair Share Housing Center (FSHC) and a 2017 Judgment of Repose, which officially certified the Township's compliance provided they adopted a revised Housing Element and Fair Share Plan—a task completed and endorsed by July 2017.

Stormwater Management Plan

The Stormwater Management Plan was originally prepared in 2005 and subsequently revised in 2007. The goals of the plan are as follows:

- reduce flood damage, including damage to life and property;
- minimize, to the extent practical, any increase in stormwater runoff from any new development;
- reduce soil erosion from any development or construction project;
- assure the adequacy of existing and proposed culverts and bridges, and other instream structures;
- maintain groundwater recharge;
- prevent, to the greatest extent feasible, an increase in nonpoint pollution;
- maintain the integrity of stream channels for their biological functions, as well as for drainage;
- minimize pollutants in stormwater runoff from new and existing development to restore, enhance, and maintain the chemical, physical, and biological integrity of the waters of the state, to protect public health, to safeguard fish and aquatic life and scenic and ecological values, and to enhance the domestic, municipal, recreational, industrial, and other uses of water; and
- protect public safety through the proper design and operation of stormwater basins.

In the 2015 Reexamination Report, the following goals were added to the Stormwater Management Plan to facilitate the implementation of the 2014 Strategic Recovery Planning Report:

- Install bay-front energy dissipation structures;
- Install riprap along the shoreline;
- Replenish the eroded beach at Parkertown Dock Recreation Facility;
- Repair the Iowa Court seawall;
- Repair bulkheads where necessary;
- Continue participation in the National Flood Insurance Program;
- Complete the flood protection project at East Sail, Boat, and Dory drives;

Little Egg Harbor Township
Master Plan Reexamination Report

- Complete work to remediate the siltation of inlets that occurred during Hurricane Sandy by removing sand and dredging;
- Complete work to remediate the siltation of inlets caused by storm surge during Hurricane Sandy by dredging all lagoons in the Mystic and Osborne island areas; and,
- Perform video inspection and cleaning of sanitary sewer lines in the Mystic Island area and other flood-inundated sections of the township to determine where repairs or replacements are needed.

B. The Extent to Which Such Problems and Objectives Have Been Reduced or Increased

Master Plan Goals and Objectives

The Master Plan goals and additional goals outlined in the 2015 Reexamination Report remain relevant and applicable. The Township should continue to implement these goals and objectives. Furthermore, the Township should also continue to promote the sustainability and resiliency implementation of the 2014 Ocean County Multi-Jurisdictional All Hazard Mitigation Plan and 2014 Strategic Revitalization and Planning Report.

Master Plan Elements

Land Use Plan Element

The core objectives and underlying problems identified within each of the land use designations in the Land Use element remain applicable and should continue to be implemented or resolved. Similarly, the goals and recommendations outlined in the 2015 amendment pertaining to green building and infrastructure techniques remain valid and should continue to be implemented.

A comprehensive review and expansion of the Parks/Recreation designation to ensure the Land Use Map was fully synchronized with the 2002 Open Space and Recreation Plan Element and the State's Recreation and Open Space Inventory (ROSI) remains a valid recommendation.

The 2015 report initially identified the need to reconsider residential densities in high-risk zones following Hurricane Sandy. In partnership with Rutgers University, the Township is conducting a comprehensive Climate Change-Related Hazard Vulnerability Assessment (CCRHVA). This assessment will provide the Township with the technical data and mapping necessary to make informed land use decisions. By identifying specific infrastructure and neighborhoods most at risk from sea-level rise and extreme weather, the Township is now positioned to implement the "density reductions" or "resiliency standards" suggested in the previous reexamination through evidence-based zoning amendments.

Community Facilities Plan Element

The existing Community Facilities Plan Element identified the following objectives, which are no longer applicable:

- Municipal & Criminal Justice Complex: The Township was previously evaluating the feasibility of constructing a new Police Department and courtroom facility on the lot adjacent to the Municipal Building for expanded office space, increased storage, and a secure parking area. This is no longer a goal for the Township.
- Recreation and Open Space: Funded in part by a Green Acres loan, the Township successfully acquired a 117.6-acre site west of Route 539 in Tuckerton Manor and built the Little Egg Harbor Township Sports Complex. The Township and the County also completed an agreement that resulted in the Township acquiring a waterfront open space southeast of Playhouse Road.

The Township adopted an amendment to this plan element in 2015, which formally integrated sustainability and resiliency measures. The goals and recommendations outlined in the 2015 amendment remain valid and should continue to be implemented.

The Township's current collaboration with Rutgers University on the CCRHVA will also provide a forward-looking model to identify which specific community facilities remain at the highest risk for future sea-level rise and storm surges. This data allows the Township to prioritize capital improvement projects and infrastructure hardening where they are most needed.

Economic Development Plan

The goals, objectives, or recommendations outlined in the 1999 Economic Development Plan and the 2015 amendment remain valid and should continue to be implemented.

Circulation Plan Element

The 2015 Circulation Plan amendments prioritized regional connectivity and called for the establishment of a formal Park and Ride facility at Interchange 58, which has been constructed. Opened in 2019 for commuters and motorists, there are 49 paved parking stalls and an internal bus loading/unloading area.

A recommendation to complete the installation of a seawall and other flood protection measures along Iowa Court, Sail Drive, Boat Drive, and Dor Drive have been completed. In coordination with the County the restoration of the asphalt, sidewalks and retaining walls damaged during Hurricane Sandy along Radio Road have also been completed.

The widening of the Garden State Parkway within Little Egg Harbor Township is complete, and the new lanes have been opened to traffic. The project plans do not include any change to the number of access ramps at Interchange 58, which services Little Egg Harbor Township.

The remaining goals and recommendations outlined in the 2015 Circulation Plan Element amendment remain valid and should continue to be implemented.

Open Space and Recreation Plan

The recommendation to update the 2002 OSRP remains valid and should continue to be implemented. The 2010 ROSI should also be updated to reflect all acquisitions of open spaces to date. Updating the plan and inventory is crucial if the Township intends to secure NJDEP Green Acres funding for future open space acquisition or park improvements.

Housing Element and Fair Share Plan

Per the Township's Judgement of Repose, the Township amended the 2008 Plan and adopted the revised plan in July 2017. The Third Round Plan addresses the Township's cumulative fair share obligation for the period from 1987 through 2025. Pursuant to the Settlement Agreement with the FSHC, the Township is required to comply with the midpoint realistic opportunity review

Little Egg Harbor Township
Master Plan Reexamination Report

requirements of the Fair Housing Act (FHA) at NJSA 52:27D-313. The Township, therefore, conducted a midpoint review of the plan on July 1, 2020.

The Township adopted its Fourth Round HEFSP on June 11, 2025 and amended on March 5, 2026. The Township has successfully obtained its Mediation Agreement with the Court and Fair Share Housing Center and is now proceeding with the adoption of the ordinances necessary to satisfy its legal obligations and state mandates.

Stormwater Management Plan

The 2015 Reexamination Report added the following goals to facilitate the implementation of the 2014 Strategic Recovery Planning Report, which are complete:

- Installation of bay-front energy dissipation structures at Graveling Point Beach and Parkertown Beach.
- Replenishment of the eroded beach at Parkertown Dock Recreation Facility
- Reparation of the Iowa Court seawall
- Reparation of bulkheads

Ongoing projects include the reparation of bulkheads where necessary, remediation of the siltation of inlets that occurred during Hurricane Sandy by removing sand and dredging and dredging of all lagoons in the Mystic and Osborne island areas.

The hybrid living shoreline that was constructed along Iowa Court incorporates a wooden sill and stone wall against the high energy waves, fill for vegetation, such as native marsh grass, and shell bags to provide for shellfish habitat and improve water quality.

Work was completed to remediate the siltation of inlets caused by storm surge during Hurricane Sandy by dredging all lagoons in Osborne Island. Dredging on Osborn Island began in 2018 and completed in 2019. Additionally, the Township completed phase one of dredging the lagoons on the east side of Radio Road in Mystic Island. However, at the recently conducted a poll regarding the Mystic Island West Phase 2 dredging project, majority of the respondents are not in favor of the dredging project to proceed, as posted on April 25, 2022. The Township indicated that it would continue to review all available funding sources for the project for the future.

All remaining goals, objectives, or recommendations outlined in the 2007 Stormwater Management Plan and the 2015 amendment remain valid and should continue to be implemented.

C. The Extent of Significant Changes in the Assumptions, Policies, and Objectives

The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

As a part of the Reexamination process, the MLUL requires an assessment of the changes that have taken place in the community since the adoption of the last Master or Reexamination Plan. There have been several substantive changes at the state and local level since the adoption of the 2015 Master Plan Reexamination.

Changes at the Local Level

Housing, Demographics, and Land Use

Housing

The number of housing units authorized by building permits is one of many economic indicators used nationally. In fact, the housing market is a sector that is considered an early indicator to changing economic conditions. The table below reflects building permit data for new construction gathered from the New Jersey Department of Community Affairs (NJDCA). As indicated, building permits peaked in 2017 and dropped substantially in 2020 by 94%, possibly due to the Coronavirus pandemic.

Table 1: Housing Units Authorized by Building Permits for New Construction

	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
1 & 2 Family	77	45	42	109	150	123	89	105	28	28	12	32	48	15	26
Multifamily	0	74	5	0	0	0	0	87	0	0	0	0	0	0	0
Mixed-Use	0	1	0	2	1	2	2	1	0	0	0	0	0	0	0
Total	77	120	47	111	151	125	91	193	28	28	12	32	48	15	26

Source: New Jersey Department of Community Affairs (NJDCA) Housing Units Authorized by Building Permits for New Construction

Demographics

The total population for Little Egg Harbor Township has relatively remained the same since the last decennial census with only 3.5% change between 2010 and 2020. As shown below, significant change in the total population occurred between 2000 and 2010 at 26% and between 2000 and 2020 at 30%. By comparison, the Ocean County's total population increased approximately 10% since the 2010 decennial census.

Table 2: Decennial Population

	1990	2000	2010	2020
Total Population	13,333	15,925	20,065	20,784

Source: DEC Redistricting Data (PL 94-171)

Age Distribution of Population

U.S. Census data depicts a 100% increase of population in the Township in the ages 65 years and over between 2000 and 2020. Population with ages 45 to 64 years in the Township has also seen a significant increase at 64%. The significant increase of these two age cohorts reflects the increase of aging population, as also shown by the increased of median age in the Township from 39 to 50.5.

Table 3: Age Characteristics

	2000	2010	2020	% Change (2000-2020)
Median Age	39	44.3	50.5	-
19 years and under	4,192	4,841	4,418	5.4%
20 to 44 years	5,268	5,087	5,200	1.3% ↓
45 to 64 years	3,691	5,788	6,072	64.5%
65 years and over	2,868	3,764	5,728	99.7%

Source: U.S. Census Bureau, 2010 & 2020 American Community Survey 5-Year Estimates, Table DP05; 2000 Profile of General Demographic Characteristics, Table DP1

Housing and Household Characteristics

As shown in the table below, the total number of housing units has increased by 50% between 1990 and 2020. However, only 4% increase of total housing unit occurred between 2010 and 2020. The number of occupied housing units was 8,715 in 2020, which represents a slight increase of 8% from the 8,060 occupied housing units in 2010 and a significant increase of 41% from the 6,176 occupied housing units in 2000. The number of housing vacancy was 2,097 in 2020, which represents a 7% decrease since 2010.

Table 4: Housing Characteristics

	1990	2000	2010	2020
Total Housing units	7,194	7,937	10,324	10,812
Occupied	4,962	6,176	8,060	8,715
Vacant	2,232	1,752	2,264	2,097

Source: U.S. Census Bureau, DEC Redistricting Data (PL 94-171)

The Township experienced a 44% increase in its total household between 2000 and 2020, as shown below in Table 5, while its average household size has remained relatively the same. Majority of the Township’s housing tenure is owner-occupied at average of 84%.

Table 5: Household Characteristics

	2000	2010	2020
Total Household ¹	6,183	7,890	8,915
Average household Size	2.56	2.46	2.37
Households with one or more people under 18 years	-	28.2%	23.2%
Households with one or more people 60 years and over	-	45.2%	57.1%
Housing Tenure			
Owner-occupied units	81.0%	86.0%	85.8%
Renter-occupied units	19.0%	14.0%	14.2%

Source: U.S. Census Bureau, 2010 & 2020 American Community Survey 5-Year Estimates Households and Families, Table S1101; 2000 Household Size, Table H016; 2000 Average Household Size of Occupied Housing Units by Tenure, Table H012

As shown in Table 6, median value of homes in the last 20 years has experienced a 142% increase in the Township.

Table 6: Median Value of Owner-Occupied Housing Units

	2000	2010	2020	% Change (2000-2020)
Little Egg Harbor Township	98,700	262,000	239,300	142.5%

Source: U.S. Census Bureau, 2010, 2015, & 2020 American Community Survey 5-Year Estimates Median Value, Table B25077; 2000, Median Value for All Owner-Occupied Housing Units, Table H085

Land Use

According to the 2015 New Jersey Department of Environmental Protection (NJDEP), water (at 37%) comprises the largest type of land use/land cover in the Township, followed by forests (at 29%) and wetlands (at 24%). Overall, these land use/land cover constitute about 90% of the territorial jurisdiction of Little Egg Harbor Township.

¹ The U.S. Census defines 'household as: A household consists of all the people who occupy a housing unit and includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit.

Table 7: 2020 Land Use Cover

Land Use/Land Cover	Acreage	Percent
Agriculture	±27.5	±0.1%
Barren Land	±185.6	±0.4%
Forest	±13,820.4	±29.2%
Urban	±4,455.3	±9.4%
Water	±17,642.3	±37.3%
Wetlands	±11,220.3	±23.7%
Total	±47,351.5	100%

Source: New Jersey Department of Environmental Protection (NJDEP), 2020

Employment Characteristics

According to the 2020 ACS 5-year estimates, approximately 85% of the City’s population, 16 years and over, are in the labor force with 5.1% unemployment rate. Based on US Census data, the unemployment rate for the Township has decreased steadily over the years, with the highest recorded in 2013 at 14.9% unemployment rate. Between 2000 and 2020, the Township’s labor force increased by 30%.

Table 8: Employment Status

	2000		2010		2020	
Population 16 years and over	12,538	100%	15,620	100%	17,666	100%
In Labor Force ²	7,505	59.9%	9,283	59.4%	9,808	55.5%
Employed	7,111	56.7%	8,288	53.1%	9,209	52.1%
Unemployed	394	3.1%	963	6.2%	494	2.8%
Not in labor Force ³	5,033	40.1%	6,337	40.6%	7,858	44.5%
Unemployment Rate	5.5%		10.4%		5.1%	

Source: U.S. Census Bureau, 2010 & 2020 American Community Survey 5-Year Estimates Selected Economic Characteristics, Table DP03; 2000 Profile of Selected Economic Characteristics, Table DP3

Table 9 summarizes the Township’s civilian population 16 years and over employed by industry. On average, Retail Trade, Educational Services, Healthcare, and Social Assistance, and Arts, Entertainment, Recreation, and Food Services were the industries largely employing the labor workforce in the Township. Between 2000 and 2020, Finance and Real Estate industry gained the

² The U.S. Census defines ‘labor force’ as: All people classified in the civilian labor force, plus members of the U.S. Armed Forces (people on active duty with the United States Army, Air Force, Navy, Marine Corps, or Coast Guard). The civilian labor force consists of people classified as employed or unemployed. (Source: U.S. Census Glossary)

³ The U.S. Census defines ‘not in labor force’ as: All people 16 years old and over who are not classified as members of the labor force. This category consists mainly of students, housewives, retired workers, seasonal workers interviewed in an off season who were not looking for work, institutionalized people, and people doing only incidental unpaid family work (less than 15 hours during the reference week). (Source: U.S. Census Glossary)

most workforce, followed by Construction, Professional, Scientific, Management, Administrative and Waste Management Services, and Retail Trade. On the contrary, the Agriculture, Forestry, Fishing, Hunting, and Mining lost the most workforce, followed by Information and Transportation, Warehousing, and Utilities.

Table 9: Classification of Employed Population 16 Years and Over by Industry

Industry	2000	%	2010	%	2020	%	% Change (2000-2020)
Agriculture, forestry, fishing, hunting, & mining	66	0.9	50	0.6	17	0.2	74.2% ↓
Construction	542	7.6	755	9.1	900	9.8	66.1%
Manufacturing	378	5.3	389	4.7	510	5.5	35.0%
Wholesale trade	223	3.1	127	1.5	271	2.9	21.5%
Retail trade	971	13.7	1,214	14.6	1,469	16.0	51.3%
Transportation and warehousing, and utilities	460	6.5	485	5.9	385	4.2	16.3% ↓
Information	199	2.8	139	1.7	160	1.7	19.6% ↓
Finance and insurance, and real estate and rental and leasing	329	4.6	628	7.6	573	6.2	74.2%
Professional, scientific, management, administrative & waste management services	471	6.6	562	6.8	753	8.2	59.9%
Educational services, health care and social assistance	1,395	19.6	2,039	24.6	2,040	22.2	46.2%
Arts, entertainment, recreation, accommodation & food services	1,259	17.7	1,008	12.2	991	10.8	21.3%
Other services, except public administration	432	6.1	419	5.1	610	6.6	41.2%
Public administration	386	5.4	473	5.7	530	5.8	37.3%
Total Employed Civilians	7,111	100%	8,288	100%	9,209	100%	29.5%

Source: Source: U.S. Census Bureau, 2010 & 2020 American Community Survey 5-Year Estimates, Table S2407 Industry by Class of Worker for the Civilian Employed Population 16 Years and Over; 2000 Profile of Selected Economic Characteristics, Table DP3

Changes Related to Local Planning Documents and Policies

Municipal Public Access Plan (2016)

Drafted in September 2016, in collaboration with NJDEP, the Municipal Public Access Plan (MPAP) establishes a comprehensive vision maintaining and enhancing the Township's tidal waters and shorelines. The plan identified over 50 access locations and serves as a formal master

Little Egg Harbor Township
Master Plan Reexamination Report

plan element that governs public access requirements for all future development or redevelopment projects.

The MPAP is designed to protect Public Trust lands through several key objectives:

- Effectively manage ocean and estuarine resources through sustainable recreational and commercial fisheries, as well as through the safe and environmentally sound use of coastal waters and beaches.
- Provide meaningful public access to and use of tidal waterways and their shores.
- Preserve public trust rights to tidal waterways and their shores.
- Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities.
- Enhance public access by promoting adequate affordable public facilities and services.
- Create and enhance opportunities for public access to tidal waterways and their shores on a non-discriminatory basis.
- Maintain all existing public access to tidal waterways and their shores.
- Provide new opportunities for public access to tidal waterways and shores through development.
- Achieve the foregoing without creating conditions that may be reasonably expected to endanger public health and safety, damage the environment, or create significant homeland security vulnerability.

The plan includes a structures Implementation Plan composed of signage, facility improvements, and preservation priorities. Following NJDEP approval and master plan incorporation, the Township is responsible for ensuring all shoreline access is maintained according to these standards, with all NJDEP permits continued upon compliance with the MPAP.

Floodplain Management Plan (2015)

During the 2015 Reexamination Report preparation, the Township was preparing a Floodplain Management Plan to identify and assess flood hazards, develop goals and objectives for floodplain management, and establish a series of actions to address flooding and its impacts. The Plan was adopted concurrently or around the same time as the completion of the 2015 Reexam Report. The Plan's adoption achieves one of the goals of the Township's 2014 Strategic Recovery Planning Report and the 2015 Reexamination Report.

The Township's Floodplain Management Plan Steering Committee established the following goals for the Plan:

- Reduce loss from flood damage and other hazards through codes and standards.
- Educate stakeholders and the public about floodplain management and stormwater management.

Little Egg Harbor Township Master Plan Reexamination Report

- Protect the natural resources and qualities of the township, including wetlands, stream corridors, open space, and areas with scenic, cultural, and recreational values.
- Protect and ensure that township infrastructure and critical facilities are able to withstand future hazard events and remain operational during and after such events.
- Provide public information resources to township residents and business owners so they are informed of the natural hazards within the community and the precautions they can take to protect their properties.

Stormwater Control Ordinance

The Township has amended its Stormwater Control Ordinance, Section 15-12.11 of the Land Use and Development, under Ordinance No. 2021-01 pursuant to the 2021 amended stormwater management rules. As such, the Township should consider updating its Stormwater Management Plan Element of its Master Plan to reflect these changes.

Ordinance No. 2024-19 and 2024-20

In response to the updated State requirements (N.J.A.C. 7:8), the Township adopted Section 215-12.11, establishing stormwater management standards for "major developments" located outside of the Pinelands Area (under Ordinance No. 2024-19) and inside of the Pinelands Area (under Ordinance No. 2024-20). This ordinance aligns municipal land use regulations with modern environmental best practices and NJDEP mandates.

Vulnerability and Exposure Analysis

In 2015, the Township developed the Vulnerability and Exposure Analysis document to evaluate vulnerability to hazards the community is likely experience. The document serves as a framework for identifying and prioritizing those actions that can effectively reduce or avoid future losses. According to the analysis, flooding caused by extreme rainfall events, storm surge, and sea level rise is the leading hazard for the Township. Flooding events are likely to be accompanied by coastal erosion, particularly along unprotected, bay-side coastal areas, exacerbating flood hazards. Furthermore, the analysis explains the Township's vulnerability to flood hazards and evaluates the types, number and value of structures that are exposed to flood and storm surge events, as well as projections of sea level rise.

The Vulnerability and Exposure Analysis raise information that can guide the Township in making sensible land use planning and development decisions and develop efficient and effective public investment strategies to guide recovery management, reconstruction, resiliency, and adaptation measures.

Affordable Housing

2017 Housing Element and Fair Share Plan (Third Round)

The Township Planning Board, under Resolution No. 2017-17, adopted the Third Round Housing Element and Fair Share Plan (HEFSP). As described in the HEFSP, the Township's affordable housing obligation consists of Rehabilitation Obligation (Present Need) of 124 units,

Little Egg Harbor Township
Master Plan Reexamination Report

Prior Round Obligation (1987 to 1999) of 194 units, and Third Round Obligation (1999 to 2025) of 634 units.

With the adoption of the Third Round HEFSP, the Township amended its zoning ordinance (§215-21) to adopt a revised affordable housing requirements under Ordinance No 2017-05. An amendment to ordinance and zoning map was also adopted to establish new boundaries for the Affordable Housing Zone and Mixed-Use Affordable Housing Zone under Ordinance 2017-07.

2020 Midpoint Review of Housing Element and Fair Share Plan Implementation

Pursuant to Fair Housing Act (FHA) NJSA 52:27D-313, the Township conducted a midpoint review of its HEFSP implementation. The Plan concluded that the Township has had a successful start to the Plan implementation and will continue to be implemented and create new opportunities to produce affordable housing.

The Township established a housing rehabilitation program to meet its Present Need Obligation (Rehabilitation) and the Township continues to accept applications for the rehabilitation program. Its Prior Round Need Obligation was fulfilled entirely with existing housing units. Several sites remain available for development to meet the Township's prospective need, including Mathistown No. 1 (Mathistown Road; Block 325, lots 4.01, 4.02 and 4.03), Mathistown No. 2 (Mathistown Road; Block 325.20, Lot 11), the mixed-use site on US Route 9 (Block 283, Lot 2; Block 284, Lot 2; Block 286, Lot 1; and, Block 287, lots 2 and 3) and the New Jersey Department of Community Affairs (NJDCA) Special Needs Housing Partnership Program site (site to be determined). To fulfill its unmet need, the Township adopted Ordinance 2017-06 on May 11, 2017, that establishes a mandatory affordable housing set-aside requirement of 15% for rental units and 20% for sale units. The set-aside requirement is applicable to multifamily development with 5 or more units.

Fourth Round

Following decades of shifting oversight between the Council on Affordable Housing (COAH) and the trial courts, the State enacted P.L. 2024, c.2 in March 2024. This landmark legislation abolished COAH and established a new framework for the Fourth Round (2025–2035), placing oversight under the Affordable Housing Dispute Resolution Program and the Department of Community Affairs (DCA). The law introduces stricter compliance standards.

The Township has prepared and adopted its Fourth Round Housing Element and Fair Share Plan on June 23, 2025 (Resolution 2025-12). The plan addresses the Township's total affordable housing obligation of 1,025 units. This is comprised of a 32-unit Rehabilitation (Present) Need and a 993-unit Prospective Need. The Prospective Need is further categorized into the Prior Round (194 units), the Third Round (634 units), and the newly calculated Fourth Round (165 units).

At the time of writing this report, the Township and Fair Share Housing Center (FSHC) have entered into a mediation agreement to resolve the issues set forth in FSHC's filed challenged letter. The agreement will be presented for review by the Program and referred to the Mount Laurel judge for approval that will result in compliance certification for the Township.

Little Egg Harbor Township
Master Plan Reexamination Report

Cannabis Ordinance (Ordinance No. 2021-15)

On February 22, 2021, Governor Murphy signed into law P. L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act", which legalizes the recreational use of marijuana by adults 21 years of age or older and establishes a comprehensive regulatory and licensing scheme for commercial recreational cannabis operations, use and possession.

By the governing body of Little Egg Harbor Township, under Ordinance No. 2021-15, the Township amended the Township Code to add Chapter 155, entitled "Cannabis" to prohibit the operation of any class of cannabis businesses within its geographical boundaries, except for the delivery of cannabis items and related supplies by a delivery service.

Electric Vehicle Supply/Service Equipment and Make-Ready Parking Spaces Ordinance (Ordinance No. 2022-13)

In July 2021, Governor Murphy signed into law S3223, a landmark bill amending the Municipal Land Use Law (MLUL) to streamline permitting for electric vehicle charging stations. The new law establishes numerical standards and zoning standards for the installation of Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces. The Department of Community Affairs (DCA) published a model statewide municipal EV ordinance to implement this law. The Township has adopted this model ordinance under Ordinance No. 2022-13.

Tree Removal/Replacement Ordinance (Ordinance No. 2024-18)

NJDEP has required every municipality in the state that is regulated under the MS4 Tier A permit to adopt the tree removal/replacement ordinance. The ordinance must address both the removal of trees and the replacement of those trees that are removed to manage stormwater runoff, reduce erosion, and enhance green infrastructure in line with the state's stormwater regulations. The Township has adopted Ordinance No. 2024-18 to address this state requirement.

Plan Endorsement

The Township currently lacks endorsed status, and many areas have reverted to Suburban Planning Area designations with a significantly lower maximum impervious coverage of 30%. This shift creates a substantial regulatory hurdle for local development and redevelopment initiatives.

The Township is currently in an active dialogue with the Office of Planning Advocacy (OPA) and the NJDEP to finalize the new municipal mapping. While the Township has proposed the retention of the Mystic Island, Tuckerton, and Parkertown Centers—along with the inclusion of the Parker's Run Redevelopment area and specific nodes at Radio Road, East Playhouse Drive, and the Garden State Parkway—the state's preliminary proposal suggests more compact center boundaries. Achieving a consensus between the OPA and NJDEP on these boundaries is a primary goal, as it is a prerequisite for the NJDEP to adopt the CAFRA centers and restore the increased impervious coverage limits necessary for coastal development.

Under the updated State Plan, OPA has proposed to reclassify several "Suburban" areas as "Fringe Suburban" and "Critically Environmentally Sensitive," which would further restrict

development potential through reduced coverage allowances and unspecified new regulations. These mapping challenges have direct implications for the Township's Affordable Housing obligations. Several inclusionary "growth share" sites, including Mathistown No. 1, Mathistown No. 2, and a mixed-use site on Route 9, were previously currently excluded from the OPA's proposed mapping. These sites were intended to fulfill a significant portion of the Township's obligation. If these sites remain outside of designated centers, their development viability is jeopardized, potentially complicating the Township's compliance. The Township and OPA continues to discuss these sites for inclusion in designated centers.

Changes at the County Level

Ocean County Comprehensive Master Plan

The Master Plan for Ocean County was adopted in December 2011 and amended in January and September of 2018. These amendments included a Functional Roadway Map, a right-of-way widths map, and a transportation model update for Brick, Jackson, Lakewood, and Toms River.

Ocean County 2025 Multi- Jurisdictional All-Hazards Mitigation Plan

The 2025 Multijurisdictional All-Hazards Mitigation Plan⁴ establishes a proactive, five-year strategy (2025–2030) to reduce long-term risk to life and property from natural hazards. The adoption of this plan is a federal requirement, the Disaster Mitigation Act of 2000 (DMA 2000), for local government, such as Little Egg Harbor, to remain eligible for FEMA Hazard Mitigation Assistance (HMA) grants. The plan identifies the highest-risk threats to Ocean County as flooding, nor'easters, wildfires, power outages, winter storms, and pandemics.

Little Egg Harbor is one of the most vulnerable jurisdictions in the county due to its extensive waterfront, particularly the Mystic Island section. The Plan indicates that Toms River Township, Stafford Township, Little Egg Harbor Township, Brick Township, and Long Beach Township have the most repetitive loss buildings, repetitive loss events, and amount of paid losses in the County. These municipalities have the most National Flood Insurance Program (NFIP) policies enforced.

The Township is committed to comprehensive hazard mitigation across its diverse forested and waterfront landscapes. Building on a foundation of public outreach, security enhancements, and coastline stabilization, the Township's forward-looking strategy prioritizes storm drainage improvements, roadway elevation, and the hardening of critical infrastructure. This plan aligns specific municipal integration activities with the findings of recent capability assessments. For Little Egg Harbor Township, the ongoing integration activities include:

- **Floodplain management:** Community has adopted the Advisory Base Flood Elevation (ABFE) maps and will use the Hazard Mitigation Plan (HMP) to support future floodplain management.

⁴ Michael Baker International, *Ocean County, New Jersey Multi-Jurisdictional All Hazard Mitigation Plan, May 19, 2025.*

Little Egg Harbor Township
Master Plan Reexamination Report

- Community education and outreach: Community has police and fire outreach programs in schools; HMP will be used as a resource for developing programs in the future.
- GIS and mapping capability: Community will work with County Office of Emergency Management (OEM) to obtain GIS data used in HMP to improve local mapping program.

The Township adopted the 2025 Ocean County Multi-Jurisdictional All-Hazard Mitigation Plan via Resolution 2025-142. A key requirement of this plan, and the NJ Municipal Land Use Law (N.J.S.A. 40:55D-28), is the completion of a Climate Change-Related Hazard Vulnerability Assessment (CCRHVA). The Township has formalized this process via Resolution 2025-157, partnering with Rutgers University to ensure the Land Use Element of the Master Plan reflects current flood and sea-level rise data.

Ocean County Open Space, Parks, and Recreation Plan

The Ocean County Planning Board Meeting adopted the Open Space, Parks, and Recreation Plan (OSPRP) on December 2, 2020, and adopted by Resolution #2020001587 by the Ocean County Board of Chosen Freeholders on December 16, 2020.⁵ The goals of the plan are the following:

1. Provide recreational facilities and programs that promote exercise, health, and wellness.
2. Provide educational facilities and programs that highlight the ecological, historical, and cultural significance of Ocean County.
3. Identify and protect sensitive, ecological, historical, or cultural areas of Ocean County through direct involvement under the Parks Department or in concert with the Ocean County Natural Lands Trust.
4. Promote the cultural diversity of Ocean County through presentations, workshops, and by administering grant funding to community organizations through the Ocean County Cultural and Heritage Commission.
5. Carry out continued maintenance and improvement projects on existing Park properties and facilities and continue acquisition and expansion of new Park properties.
6. Provide staff assistance and technical expertise to the Ocean County Natural Lands Trust as needed to include coordinated cleanups, fire management practices, habitat enhancement, and maintenance of acquired properties.

Freedom Fields County Park, Atlantis Golf Course, and Stanley H. "Tip" Seaman County Park are the Ocean County parks and recreation sites in the Township. The County has planned for site and building improvements at the Freedom Fields County Park dog park, which was planned for completion in 2020. Site improvements at the Atlantis Golf Course was also planned, including renovation of greens, drainage improvements, rehabilitation of cart paths, to begin in 2019 with anticipated completion in 2024.

There are three (3) Ocean County Natural Lands – Preserves in the Township: Mill Branch (780.03 acres, Mystic Island (167.18 acres), and Westecunk Creek (116.29 acres). Additionally,

⁵ *Ocean County, New Jersey, Open Space, Parks, and Recreation Plan, December 2, 2020.*

the Ocean County Natural Lands Trust Fund has identified nine target areas in the county that are priorities for acquisition. These areas are generally targeted for its stream corridors and other flood prone areas, aquifer recharge areas, buffer areas surrounding potable well fields, environmentally sensitive areas, active farms and lands with prime agricultural soils, lands adjacent to environmentally sensitive areas, and lands near Joint Base McGuire-Dix-Lakehurst. Two of the nine target areas in the County are in Little Egg Harbor Township. The first target area in the Township is in the coastal area encompassing the Mystic Island and Great Bay areas. The second target area encompasses majority of the northern portion of the Township north of the Garden State Parkway.

Changes at the State Level

Sustainable & Resilient Coastal Communities: A Comprehensive Coastal Hazard Mitigation Strategy ⁶

In 2017, Township was selected as a pilot community, along with Tuckerton Borough and Toms River Township, for the NJDEP's Sustainable, and Resilient Coastal Communities initiative. The project aimed to align Coastal Areas Facility Review Act (CAFRA) Center designations with modern coastal hazard risks, using the Township to evaluate how flood inundation and development patterns should inform future Coastal Zone Management rules.

The study identified critical vulnerabilities facing the Township, notably:

- **Environmental & Geological Risks:** 55% of the Township (9,000+ acres) is projected to be exposed to sea-level rise inundation by 2050. Additionally, the aquifer is susceptible to saltwater intrusion, and sandy/flood-prone soils limit further development.
- **Infrastructure & Utility Vulnerability:** Major storms render the sewer system inoperable due to lack of backup power. The Municipal Utilities Authority (MUA) lacks the generators necessary to maintain services during flood events.
- **Flood Hazards:** The Township ranks among the highest in Ocean County for repetitive loss events and National Flood Insurance Program (NFIP) payouts, with 1,500 bayfront homes specifically endangered by tidal surges.
- **Natural Disasters:** The Township is highly susceptible to coastal erosion, wildfires, and tropical storms, all of which are exacerbated by the loss of natural vegetation that once absorbed stormwater.

The report recommends that the State establish uniform, forward-looking sea-level rise standards and that the Township implement "risk-reduction" strategies. These include stabilizing shorelines and protecting ecological integrity without compromising public access. This 2017 strategy provides the foundational data that current efforts, such as the Rutgers CCHVA, are now expanding upon.

⁶ Priceton Hydro, LLC, BRS, Inc., *New Jersey Future, Sustainable & Resilient Coastal Communities: A Comprehensive Coastal Hazard Mitigation Strategy*, September 2017.

Summary of Erosion Risk-Reduction Strategies	
Developed Areas	Undeveloped Areas
Use setbacks and zoning to reduce property at risk	Enhance ecological function to boost natural resiliency
Stabilize shoreline using living shoreline techniques or armoring, where necessary.	Stabilize shoreline using living shoreline techniques
	Minimize stressors that accelerate erosion
Summary of Sea Level Rise Risk-Reduction Strategies	
Developed Areas	Undeveloped Areas
Elevation of structures and infrastructure	Elevate salt marsh plains
Reduce development in flood-prone areas	Enhance marsh hydrology and function to withstand future stressors
	Allow for marsh migration inland
Summary of Coastal Storm Damage Risk-Reduction Strategies	
Developed Areas	Undeveloped Areas
Acquisitions or buy-outs to remove at-risk properties	Structural protection measures such as seawalls, bulkheads, and revetments
Adopting overlay zones to specify design standards and/or permissible uses	Implementing offshore breakwaters
	Marsh restoration and enhancement

2025 State Development and Redevelopment Plan

The 2025 State Development and Redevelopment Plan (SDRP) (the “State Plan”)⁷ is a major milestone for New Jersey, as it marks the first full update to the State Plan since 2001. Below is a summary of the ten aspirational goals in the plan:

- **Economic Development:** Grow the economy by streamlining regulations and prioritizing investments in "smart growth" areas (existing centers) rather than undeveloped land.
- **Housing:** Solve the affordability crisis by incentivizing diverse housing types (ADUs, townhomes, apartments) in transit-accessible areas while protecting sensitive lands.
- **Infrastructure:** Direct state money toward "clean" infrastructure—modernizing water/sewer, expanding broadband, and improving transit and flood protection.
- **Revitalization & Recentering:** Turn "underperforming" assets like dead malls and abandoned business parks into vibrant community centers.
- **Climate Change:** A dual focus on reducing greenhouse gas emissions and preparing infrastructure for "catastrophic outcomes" like sea-level rise.
- **Natural & Water Resources:** Protect and restore water and land using science-based decisions, particularly in "Overburdened Communities."
- **Pollution & Environmental Clean-Up:** Transition to 100% clean energy and remediate contaminated sites to restore ecosystem integrity.

⁷ 2025 State Development and Redevelopment Plan, New Jersey State Planning Commission, December 17, 2025

- **Historic & Scenic Resources:** Consult with underrepresented groups to preserve cultural identity and protect scenic assets from climate change.
- **Equity:** Fix "legacy issues" in communities that have historically suffered from pollution and disinvestment.
- **Sound & Integrated Planning:** Ensure all levels of government (State, County, Local) work from the same playbook to avoid short-term, "prejudiced," or wasteful land-use decisions.

Resilient Coastal Communities Initiative (RCCI): Recommendations for Building Resilient Coastal Communities in New Jersey

To assist New Jersey communities with their long-term resilience efforts after Hurricane Sandy, the New Jersey Department of Environmental Protection's (NJDEP) Coastal Management Program (CMP) developed the Resilient Coastal Communities Initiative (RCCI) with a grant funded by the National Oceanographic and Atmospheric Administration (NOAA). A final report, *Recommendations for Building Resilient Coastal Communities in New Jersey*,⁸ was developed outlining important policy options to strengthen the ability of New Jersey coastal communities to prepare for and respond to changing coastal hazards.

The following items are challenges to coastal community resilience identified in the Report:

- Coordinate resilience efforts both within NJDEP and between NJDEP and other state agencies and organizations to avoid inconsistent results;
- Leverage opportunities presented during post-storm recovery to better advance community-level resilience efforts, including projects, planning and education;
- Clarify and promote resilience-related regulatory standards and ensure they reflect NJDEP's strong commitment to resilience; and
- Address the financial disincentives to community engagement in sound resilience efforts and identify and promote additional incentives to participation

The Report provided recommendations on how to increase coastal community resilience, such as the following:

- Improve coordination of resilience planning and recovery efforts;
- Develop key programs and policies that establish the framework necessary to assist coastal communities in their resilience efforts;
- Identify, increase clarity and promote the use of resilience-related regulations in resilience planning and coastal decision making;
- Identify, develop and promote incentives for coastal community participation;

⁸ *Recommendations for Building Resilient Coastal Communities in New Jersey, The Monmouth University Urban Coast Institute, 2015*

Stormwater Regulations

The following summarizes two new stormwater regulations in the state with regards to green infrastructure and stormwater utilities.

Green Infrastructure

On March 2, 2020, the State of New Jersey published amended stormwater management rules in the New Jersey Register. These amended rules took effect on March 2, 2021 and require the use of green infrastructure. Green infrastructure refers to a set of stormwater management practices that use or mimic the natural water cycle to capture, filter, absorb and/or re-use stormwater. Fundamentally, the new rules will require decentralized, distributed stormwater management practices that enable stormwater to infiltrate and more closely resemble the natural water cycle. These “best management practices” (BMPs) include vegetated swales, bioretention, green roofs, cisterns, wet ponds, infiltration basins and constructed wetlands.

The following outlines the changes to the stormwater management rules:

- Replaces a subjective performance standard with an objective, math-based standard that requires the use of green infrastructure to meet water quality, quantity, and recharge standards. The rule includes tables showing which green infrastructure BMPs may be used to meet certain standards, and which BMPs may be used only with a variance.
- The water quality standard will apply to “motor vehicle surface” — meaning, paved or unpaved roads, driveways, parking lots, etc. — instead of impervious surface. Consistent with current NJDEP practice, the water quality standard will not apply to impervious surfaces that are not used by vehicles.
- The “major development” definition now includes “creation of one-quarter acre or more of ‘regulated motor vehicle surface’.”
- Water quantity, quality, and groundwater recharge standards must be met in each drainage area on-site (unless they converge before leaving the property).
- A groundwater mounding analysis is required for all infiltration BMPs, not just for recharge.
- A deed notice for stormwater management measures, including green infrastructure, must be recorded and submitted to NJDEP before construction.
- For cities with combined sewer systems (so-called CSS or CSO communities):
 - Water quality treatment is required for discharges into combined sewer systems
 - Water quantity control is required in tidal areas (except discharges directly into lower reach of major tidal water bodies)
 - Community basins, which will allow several properties in a CSS community to use a single large basin for quantity control, are allowed

Clean Stormwater and Flood Reduction Act

In March 2019, Governor Phil Murphy signed Senate Bill 1073 into law, creating the Clean Stormwater and Flood Reduction Act (“Act”). The Act seeks to provide means of funding

stormwater infrastructure by authorizing the creation of stormwater utilities and allowing those utilities to assess fees. A stormwater utility is currently the only mechanism able to dedicate funds directly to stormwater management. Thus, along municipalities and counties to properly operate, maintain, repair, and improve their storm sewer system as necessary.

Additionally, the Act will require the NJDEP to create a stormwater utility guidance manual for the use of the municipalities, counties, and authorities seeking to establish stormwater utilities. The manual would provide rate structure guidance. The NJDEP would receive 5% of the annual fees collected by stormwater utilities as stormwater utility charges to fund program planning, implementation, and coordination activities related to stormwater utilities. Finally, the Act authorizes municipalities, counties, and authorities to contract with private firms for the operation or improvement of stormwater utilities.

2021 Cannabis Regulations

Assembly Bill 21 / Senate Bill 21, also known as the Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization (CREAMM) was signed into law on February 22, 2021. The bill legalizes personal use cannabis for certain adults, subject to state regulation, decriminalizes small amounts of marijuana and hashish possession, and removes marijuana as a Schedule I drug. The bill defines 6 classes of license. Section 31 provides an option for municipalities to adopt regulations or ordinances that permit or prohibit one or more classes of license within the municipality, as well as location, manner, and times of operation. As previously noted, the Township adopted Ordinance No. 2021-15 prohibiting the operation of any class of cannabis businesses within the Township, except for the delivery of cannabis items and related supplies by a delivery service.

2019 Energy Master Plan: Pathway to 2050

The New Jersey Energy Master Plan (EMP) Pathway To 2050⁹ was unveiled in January 2020, envisioning initiatives that will help achieve 50% clean energy by 2030 and 100% clean energy by 2050. The EMP outlines seven key strategies and includes an implementation plan and energy efficiency measures that can help reduce energy demand and lower emissions. The New Jersey Board of Public Utilities (NJBPU) serves as the lead agency implementing the EMP.

Goal 6.1 of the EMP encourages and supports municipalities to establish and enact community energy plans that will allow them to identify their own priorities and obstacles to complement the Energy Master Plan; this goal comprises of the following objectives:

- Develop a comprehensive Community Energy Plan program in concert with local community groups to identify energy needs and establish ways to participate in and benefit from the clean energy transition at the local level, prioritizing education and incentives in low-income and environmental justice communities
- Encourage communities to incorporate land use, zoning, and multimodal transportation plans into their Community Energy Plans

⁹ New Jersey Energy Master Plan (EMP) Pathway To 2050

- Prioritize energy efficiency programs in low- and moderate income and environmental justice communities

Accordingly, the NJBPU launched the Community Energy Plan Grant program in 2019 to support local communities in creating Community Energy Plans and enable them to establish their own set of priorities, understand their obstacles, and develop a plan that is consistent with the 2019 EMP. Released on November 2021, the NJBPU approved the redesign of the Community Energy Plan Grant program that has more focus on equity and community engagement. The redesigned grant program also simplifies the grant application process.

Municipal Land Use Law

Statement of Strategy

P.L. 2017, Chapter 275 (A4185/S2873) approved in January 2018 amended the MLUL requiring the adoption of any subsequent Land Use Element to include a “statement of strategy” concerning with (1) smart growth with consideration to potential locations for the installation of electric vehicle charging stations, (2) storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and (3) environmental sustainability.

Exemption of Solar Panels from Impervious Coverage Calculation (2014)

In 2014, MLUL was amended exempting solar panels from impervious coverage calculations as part of subdivision or site plan approval.¹⁰

Climate Change-Related Hazard Vulnerability Assessment (CCRHVA)

On February 4, the MLUL (Section 19 of P.L.1975, c.291 (C.40:55D-28)) was amended to require that the land use plan element of a municipal master plan include a CCRHVA. The Township will be required to include a CCRHVA the next time land use plan element is amended or otherwise updated.

- Analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards, including, but not limited to increased temperatures, drought, flooding, hurricanes, and sea-level rise;
- Include a build-out analysis of future development in the municipality, and an assessment of the threats and vulnerabilities related to that development;
- Identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state;
- Analyze the potential impact of natural hazards on relevant components and elements of the Master Plan;

¹⁰ N.J.S.A 40:55D-38.1: "solar panel" means an elevated panel or plate, or a canopy or array thereof, that captures and converts solar radiation to produce power, and includes flat plate, focusing solar collectors, or photovoltaic solar cells and excludes the base or foundation of the panel, plate, canopy, or array.

Little Egg Harbor Township
Master Plan Reexamination Report

- Provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards;
- Include a specific policy statement on the consistency, coordination, and integration of the climate change related hazard vulnerability assessment with any existing or proposed natural hazard mitigation plan, floodplain management plan, comprehensive emergency management plan, emergency response plan, post-disaster recovery plan, or capital improvement plan; and
- Rely on the most recent natural hazard projections and best available science provided by the New Jersey Department of Environmental Protection.

Resolution 2025-157

In June 2025, the Township of Little Egg Harbor entered into a formal Memorandum of Understanding (MOU) with Rutgers University (specifically through the New Jersey Climate Change Resource Center and the School of Environmental and Biological Sciences) to develop a Climate Change-Related Hazard Vulnerability Assessment (CCRHVA). The CCRHVA is expected to be completed by September 2026 and will serve as a foundational document for the Township. It will provide the scientific justification for potential updates to the Township's land-use regulations, informing decisions on where future development is appropriate versus where conservation may be needed, increasing grant competitiveness, and capital planning.

Electric Vehicle Charging Infrastructure

The following summarizes two new regulations on EV charging infrastructure as relates to local planning documents and regulations.

Electric Vehicle Charging Infrastructure in Master Plan, Reexamination Reports, and Redevelopment Plans

In 2019, the New Jersey State Legislature adopted Senate Bill 606 (P.L. 2019, Chapter 267), amending the Municipal Land Use Law (N.J.S.A. 40:55d-1 et. seq.) and the Local Redevelopment and Housing Law (N.J.S.A. 40A:12a-1 et. seq.). The new law intends to encourage municipalities to consider electric vehicle charging infrastructure as a component of their master plan, periodic master plan reexamination, and redevelopment plans:

- Master Plan - Land Use, Circulation, and Green Buildings and Environmental Sustainability Plan Elements are the elements required to identify electric vehicle charging stations.
 - Land Use Plan Element: Locate existing and proposed location of public electric vehicle charging infrastructure.
 - Circulation Plan Element: Locate existing and proposed location of public electric vehicle charging infrastructure.
 - Green Buildings and Environmental Sustainability Plan Element: Consider, encourage, and promote the development of public electric vehicle charging infrastructure in appropriate locations such as commercial districts, areas near public transportation/facilities, transportation corridors, and public rest stops.

Little Egg Harbor Township Master Plan Reexamination Report

- Redevelopment Plan – Indicate the project area’s relationship to the public electric vehicle charging infrastructure development in appropriate locations, as well as its connection with an essential public charging network.
- Master Plan Reexamination Report – As described in the next section, reexamination reports are now required to include a section that recommends locations appropriate for the development of public electric vehicle infrastructure; and recommend changes in the local development regulations as necessary or as appropriate for the development of public electric vehicle infrastructure.

Electric Vehicle Charging Infrastructure Ordinance

In July 2021, Governor Murphy signed into law S3223, a landmark bill amending the Municipal Land Use Law (MLUL) to streamline permitting for electric vehicle charging stations. The new law establishes numerical standards and zoning standards for installation of EVSE and Make-ready parking spaces. To implement this, the bill requires that the Department of Community Affairs (DCA) publish a model statewide municipal EV ordinance on its website. On September 2021, with support from the Department of Environmental Protection (DEP) and Board of Public Utilities (BPU), DCA published the Model Statewide Municipal Electric Vehicle Ordinance.

Local Redevelopment and Housing Law

In addition to the new requirement of redevelopment plans to include proposed locations for public electric vehicle charging infrastructure within the project area discussed above, the Local Redevelopment and Housing Law (LRHL) was again amended in 2019 to expand the criterion for determining an area in need of redevelopment (N.J.S.A. 40A:12A-5(b)), in which identifies the discontinuance or abandonment of buildings used for retail, shopping malls and office parks, as well as buildings with significant vacancies for at least two (2) consecutive years. As amended, N.J.S.A. 40A:12A-5(b) reads:

b. The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

Affordable Housing

March 2015 New Jersey Supreme Court Decision

The failure of Council on Affordable Housing (COAH) to adopt new regulations as ordered by the New Jersey Supreme Court led one of the litigants – Fair Share Housing Center (FSHC) – to file a Motion In Aid of Litigants’ Rights to compel the government to produce constitutional affordable housing regulations. On March 10, 2015, the Supreme Court issued its ruling, entitled, In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, now known as Mount Laurel IV. The Court transferred responsibility to designated Mount Laurel judges to review and approve municipalities’ Housing Elements and Fair Share Plans. Municipalities whose plans are approved by the Court will receive a Judgment of Compliance and Repose, the judicial equivalent of COAH’s substantive certification. Accordingly, the 2015 decision

Little Egg Harbor Township
Master Plan Reexamination Report

established a 90-day transitional period and then a 30-day filing period when municipalities could petition the Superior Court in a Declaratory Judgment action seeking confirmation that their method of addressing affordable housing meets the constitutional obligation. Municipalities were also permitted to file motions for temporary immunity from builder's remedy lawsuits.

January 2017 New Jersey Supreme Court Decision

On January 17, 2017, the New Jersey Supreme Court found In Re Declaratory Judgment Actions Filed By Various Municipalities, County of Ocean, Pursuant To The Supreme Court's Decision In Re Adoption of N.J.A.C. 5:96, 221 N.J. 1(2015) that the "gap period", defined as 1999 to 2015, generates an affordable housing obligation. The decision requires an expanded definition of municipal present need obligation to include low- and moderate-income households that were formed during the gap period. Accordingly, the municipal affordable housing obligation is now composed of the following four parts: present need (rehabilitation share), prior round (1987 to 1999, new construction), gap present need (1999 to 2015, new construction); and prospective need (third round, 2015 to 2025, new construction)

March 2018 New Jersey Superior Court Decision

In a March 8, 2018, ruling on two Mercer County municipalities' affordable housing obligations, Superior Court Assignment Judge Mary Jacobson addressed the absence of statewide guidelines for calculating a municipality's fair share obligation. Judge Jacobson ruled in favor of the municipal expert on several key steps and in favor of the housing advocate's experts in others, resulting in a statewide number in between the competing experts' respective calculations. Incorporating estimates of households and wealth, projections of job and population growth, and calculations of acreage available for development, Jacobson's methodology could be used as a template statewide for determining the need for new affordable housing development.

Fourth Round

On March 20, 2024, this all changed once again when Governor Murphy signed, P.L. 2024, C.2, into law, which substantially amended the FHA and created an entirely new affordable housing regulatory plan approval process (hereinafter "FHA II"). FHA II provided that a municipality could secure immunity by adopting a resolution to commit to a present need and Round 4 prospective need by January 31, 2025, and by filing a declaratory judgment action within 48 hours of adoption of the resolution. FHA II provided that a municipality could maintain that immunity if it filed an adopted Housing Element and Fair Share Plan by June 30, 2025. FHA II introduced a comprehensive structure for municipalities to meet their obligations, with key provisions including, but not limited to, the following:

- The abolishment of COAH and reassigning affordable housing oversight to a new entity known as the Affordable Housing Dispute Resolution Program (the Program), which consists of seven retired Mount Laurel judges and their Special Adjudicators, previously known as Court Masters. FHA II provided that if the Program judges, with the assistance of Adjudicators, could not resolve dispute amicably, a vicinage area judge would decide the matter.
- FHA II also required the Department of Community Affairs (DCA) to take over monitoring of affordable units in every municipality in the state, and to draft and release a non-binding

Little Egg Harbor Township
Master Plan Reexamination Report

report calculating Fourth Round municipal Present and Prospective Need obligation for every municipality in the state. The DCA released its report on October 18, 2024.

- FHA II also ordered the New Jersey Housing and Mortgage Finance Agency (NJHMFA) to adopt new Uniform Housing Affordability Controls, commonly referred to as the “UHAC” regulations.
- FHA II required 13% of the Fourth Round affordable units to be designated as very low-income units (30% of median income), half of which must be available to families with children.
- FHA II required 25% of affordable units to be rental housing units, half of which must be available to families with children.
- FHA II required 50% of the municipality’s prospective need (exclusive of any bonus credits) to be available to families with children.
- FHA II required no more than 10% of the municipality’s fair share obligation to be counted towards transitional housing.
- FHA II required no more than 30% of affordable housing units to be age-restricted (excluding bonus credits).
- FHA II required 40-year deed restrictions for new rental units, and 30-year deed restrictions for for-sale units.
- FHA II required any municipality that secures a vacant land adjustment (VLA) to provide realistic zoning through redevelopment for “at least 25 percent of the prospective need obligation that has been adjusted” or demonstrate why it is unable to do so.

The law also includes significant changes to the use of bonus credits which are now allocated based on the following:

- Special Needs/Permanent Supportive Housing: 1 bonus credit per 1 credit
- Housing created in partnership with a non-profit housing developer: ½ bonus credit per 1 credit
- Housing located within half a mile radius of public transit stations (or one mile in Garden State Growth Zones): ½ bonus credit per 1 credit
- Age-restricted housing: ½ bonus credit per 1 credit
- Family housing with at least 3 bedrooms, above the minimum number required by the bedroom distribution requirement determined pursuant to the Uniform Housing Affordability Controls: ½ bonus credit per 1 credit
- Redevelopment of sites previously used for retail, office, or commercial space: ½ bonus credit per 1 credit
- Extending affordability controls on existing low- or moderate-income rental units, with municipal financial support: ½ bonus credit per 1 credit
- For 100% affordable projects, municipalities that contribute land or at least 3% of the project’s cost to a fully affordable development: 1 bonus credit per 1 credit

Little Egg Harbor Township
Master Plan Reexamination Report

- Very low-income housing for families beyond the required 13%: ½ bonus credit per 1 credit
- Converting market-rate housing to affordable units, provided the municipality secures an agreement with the property owner or owns the property: 1 bonus credit per 1 credit

Limitation to the bonus credits:

- Municipalities are prohibited from using more than one type of Bonus Credit for any unit.
- No more than 25% of a Municipality's Prospective Need obligation can be satisfied through bonus credits
- Bonus credit for age-restricted is limited only to a maximum of 10% of the total age-restricted units

Administrative Directive #14-24

On December 13, 2024, the Administrative Office of the Courts issued Administrative Directive #14-24 which established guidelines implementing the Affordable Housing Dispute Resolution Program pursuant to section 5 of P.L.2024, c.2 (N.J.S.A. 52:27D-313.2).

New Jersey's Statewide Comprehensive Outdoor Recreation Plan

The 2023–2027 Outside, Together! A Statewide Comprehensive Outdoor Recreation Plan (SCORP)¹¹ for New Jersey, outlines a 5-year strategy for improving outdoor recreation and conservation in New Jersey. Prepared by the NJDEP, following the requirements of the Land and Water Conservation Fund Act of 1965, and supported by federal and state funding programs, it focuses on expanding open spaces, promoting equity, and enhancing climate resilience. The SCORP has six (6) guiding principles:

- Expanding high-quality open space and recreational opportunities for all New Jersey residents and visitors;
- Enhancing climate resilience and sustainability through acquisition and development of open and green space;
- Empowering communities through investments in ecotourism and outdoor recreation;
- Embracing the role of technology in conservation and outdoor recreation;
- Furthering equity and environmental justice through outdoor recreation; and,
- Continuing commitments to stewardship and the conservation and restoration of biodiversity.

¹¹ NJDEP, 2023–2027 Outside, Together! A Statewide Comprehensive Outdoor Recreation Plan (SCORP) for New Jersey, December 2023.

New Jersey Micromobility Legislation (2019)

Governor Murphy signed legislation S731 in May 2019 permitting the operation of low-speed electric bicycles on streets, highways, sidewalks, and bicycle paths.¹²

New Jersey Senate Bill 1676 (S1676)

On June 30, 2021, Governor Murphy signed into law S1676 titled “An Act concerning hospitals and supplementing P.L.1971, c.136 (C.26:2H1 et seq.)” The law permits hospitals to construct, rehabilitate, or remediate housing for individuals who are homeless or housing insecure and deems such housing as permitted use in all residential and non-residential districts of a municipality and shall be exempted from local zoning restrictions.

¹²S731: "Low-speed electric bicycle" means a two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, whose maximum speed on a paved level surface, when powered solely by a motor while operated by a person weighing 170 pounds, is less than 20 miles per hour.

D. The Specific Changes Recommended for the Master Plan or Development Regulations

Master Plan Recommendations

It is recommended that the following specific goals should be updated as follows:

- To adopt land use regulations that will capitalize upon and promote the Tuckerton Seaport.
- To adopt land use regulations that encourage a better balance among residential, commercial, industrial, and preservation land uses so as to promote improved municipal discal planning efforts; and minimize the potential for land use conflicts.

It is recommended that the Township should incorporate the following additional goals and objectives into the Master Plan:

- To preserve and protect the Township's environmentally sensitive lands and open spaces, while maintaining and expanding a diverse system of parks and recreational facilities that meet the needs of all residents and enhance the community's natural character.

Update the following specific objectives relating to the promotion of sustainability and resiliency to facilitate the implementation of the Multi-Jurisdictional All Hazard Mitigation Plan and the Strategic Revitalization and Planning Report:

- Objective 8: Explore opportunities to improve the Township's ranking/rating in the Community Rating System.
- Objective 10: Review and evaluate evacuation routes and provide signage and education.
- Objective 13: Provide natural gas service for generators at Municipal facilities and more generators at schools.
- Objective 21: Monitor the beach at Parkertown Dock Recreation Facility for erosion conditions.
- Objective 22: Monitor the Iowa Court seawall living shoreline.
- Objective 30: Upgrade or maintain the emergency power supply at municipal building/emergency command center.
- Objective 33: Monitor siltation of inlets that occurred during Hurricane Sandy by removing sand and dredging.
- Objective 34: Monitor siltation of inlets caused by storm surge during Hurricane Sandy by dredging all lagoons in the Mystic and Osborne Island areas.
- Objective 36: Implement a township policy to encourage the elevation of residences above the advisory base flood elevation.

Furthermore, it is strongly recommended that the Township undertake a comprehensive update of its Master Plan to replace the current document, which was originally adopted in 1999. While various elements and amendments have been adopted in the intervening 25 years, this piecemeal approach has resulted in a fragmented policy framework that may no longer reflect the modern realities of the Township's built environment, demographic shifts, or economic goals. A cohesive, "ground-up" rewrite will allow the Township to unify these amendments into a single,

Little Egg Harbor Township
Master Plan Reexamination Report

visionary document that addresses contemporary challenges while ensuring all land-use regulations are internally consistent.

Land Use Plan Element

The Land Use Plan Element should be updated in its entirety to address the requirements of N.J.S.A. 40:55D-28, including the following:

- Analysis of natural conditions (soils, topography, floodplains) and the plan's relationship to all other Master Plan elements.
- Documentation of existing and proposed locations, types, and intensities for all residential, commercial, industrial, and public land uses.
- A formal statement of how proposed land uses relates to the existing municipal zone plan and zoning ordinances.
- Delineation of Airport Safety Zones and Military Facility boundaries, including strategies to prevent encroachment (e.g., height limits and noise buffers).
- Specific recommendations for population density and development intensity across the municipality.
- Strategies for environmental sustainability, storm resiliency for energy/infrastructure, and the location of Electric Vehicle (EV) charging stations.
- A Climate Change Hazard Vulnerability Assessment (CCHVA) that must analyze climate threats (sea-level rise, flooding, etc.) using the best available science, perform a "build-out" analysis of future development risks, identify critical infrastructure and evacuation routes, and propose design standards and policy integration with emergency and capital improvement plans.

The Township is currently collaborating with Rutgers University to develop the CCHVA, which is expected to be finalized by late 2026. Upon its completion, the Township should formally integrate the final report by reference into the Land Use Plan Element.

Circulation Plan Element

It is recommended that the Circulation Plan Element be updated in its entirety to address the requirements of N.J.S.A. 40:55D-28, including but not limited to the location and types of facilities for all modes of transportation, updates to the roadway classification system, conditions of existing and proposed transportation facilities, and identifying existing and proposed locations for public electric vehicle charging infrastructure. The 2015 plan amendment and updates provided in this Reexam should be incorporated into this plan update.

When this plan is updated, the Township should consider the review and recommendation of alternate vehicle and multi-modal routes connecting population areas to the Garden State Parkway. Specifically connecting and encouraging routes to Poorman's Parkway and Garden State Parkway.

Community Facilities Plan

It is recommended that the Community Facilities Plan be updated in its entirety to ensure that the Township's physical infrastructure is strategically aligned with modern resiliency standards, fiscal realities, and the evolving needs of the community. Updating the plan will provide a defensible framework for capital spending, enhances eligibility for state and federal funding, and ensures that critical public services remain operation and accessible in the face of future environmental challenges.

It is critical to establish consistency with the CCHVA plan with Community Facilities Plan to ensure that the Township's long-term capital investments are resilient to the environmental realities of the next several decades. This integration transforms the Community Facilities Plan from a simple inventory of buildings into a strategic resiliency roadmap, safeguarding public safety, ensuring the continuity of government, and maximizing the Township's eligibility for state and federal resiliency grants.

Additionally, the alignment of this plan with the Circulation and Open Space Plan elements should be established to ensure that the Township's infrastructure serves multiple community goals. By integrating these plans, the Township can develop a transportation network that promotes non-motorized connectivity to recreational assets while utilizing open space to manage stormwater and enhance the resiliency of critical evacuation routes. This holistic approach maximizes the utility of public land and strengthens the Township's position for multi-agency grant funding.

Open Space and Recreation Plan

It is recommended that the Open Space and Recreation Plan (OSRP) be updated in its entirety. The existing plan does not account for the environmental changes and regulatory changes of the last two decades. In conjunction with the update to the OSRP, it is recommended that the Township perform a comprehensive audit and update of its Recreation and Open Space Inventory (ROSI). The ROSI serves as the official registry of all lands held by the municipality for recreation and conservation purposes and keeping it current is a fundamental requirement for maintaining a partnership with the NJDEP Green Acres Program.

The Township should ensure consistency with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) to maximize the Township's competitiveness for Green Acres and Federal grants, as state funding increasingly prioritizes projects that reflect the SCORP's core pillars of climate resilience, equitable access, and economic vitality.

Economic Plan

Considering the numerous challenges, changes, and disruptions to the economy in recent years, both locally and globally, it is recommended that the Township prepare an amendment to the Economic Plan Element. The amendment should identify employment projections, current economic conditions, and potential strategies to maintain and enhance the local economic base. The 2015 plan amendment incorporating changes to the cost sharing agreements and Mathistown Road and Radio Road streetscape improvement project should be incorporated into this update, accordingly.

Stormwater Management Plan

It is recommended the Township amend its Stormwater Management Plan to implement the changes to the stormwater management rules regarding green infrastructure.

Municipal Public Access Plan (MPAP)

At the time of the preparation of this 2026 Reexamination Report, the 2016 MPAP Draft remains unadopted. It is recommended that the Township move forward to adopting the draft plan. Prior to adoption, the draft plan should be reviewed to ensure all its goals, objectives, and policies remain applicable and relevant.

Green Buildings and Environmental Sustainability Plan

It is recommended that the Township adopt a Green Buildings and Environmental Sustainability Element pursuant to N.J.S.A. 40:55D-28(b)(16). This element will provide the necessary policy framework to implement modern land-use strategies, including green infrastructure standards, renewable energy siting, and EV-ready development.

Other Development Regulation Recommendations

Community Energy Plan

The Township is encouraged to prepare a Community Energy Plan per the New Jersey Energy Master Plan (EMP) Pathway To 2050. The Plan encourages and supports municipalities to establish and enact community energy plans that will be incorporated into their land use, zoning, and multimodal transportation plans. The Township should take advantage of the Community Energy Plan Grant Program established by NJBPU to support municipalities in creating Community Energy Plans.

Zoning Map and Zoning Ordinance Recommendations

General Land Use and Development Ordinance Review

COVID-19 had a profound impact on the economy, causing disruptions across various sectors such as travel, tourism, hospitality, and retail. Many businesses faced closures, layoffs, and financial hardships. To become more resilient in the face of future pandemics or similar crises, the Township could adjust land use and zoning policies in several ways. This includes implementing flexible zoning regulations to allow for adaptable use of spaces, promoting mixed-use development to create vibrant neighborhoods, investing in infrastructure for remote work, supporting local businesses, planning for public health emergencies, and investing in green spaces and outdoor amenities. These adjustments can help communities better withstand and recover from disruptions, while also promoting sustainable and inclusive development.

Additionally, the Township is recommended to conduct a comprehensive review and update of the definitions section (Article II) of the zoning ordinance to ensure emerging uses are defined and regulated and aligned with recent legislative updates, as well as to reduce vagueness and update outdated definitions. It is also recommended that the Township review and revise site plan and subdivision standards to ensure that the standards align with current state mandates and industry's best practices.

Religious and Educational Institutions

It is recommended that the Township conduct a comprehensive review of various “assembly” type uses and determine what uses to include in a new “Assembly Use” classification. It is recommended that the Township:

1. Define an “Assembly Use”. This new defined use would likely include certain uses currently indicated under “Institutional Use” and would require their relocation. Uses considered for inclusion in the new “Assembly Use” include but are not limited to churches, educational facilities, cultural facilities, and others.
2. Consider permitting, as a conditional use, various assembly uses within the R-5A, R-3A, R-1A, PRD, MF, NB, GB, HB, and Scenic Gateway Overlay Zoning districts. The Township should specifically consider what conditional use standards might apply to newly permitted assembly uses and if Churches and places of worship should be considered a conditional or permitted use.
3. Consider permitting various assembly uses within the R-5A, R-1A, PRD, MF, GB, and HB Zoning districts. The Township should specifically consider what uses should be considered a permitted use and if Schools should be considered permitted or a conditional use.

Zoning Map Update

The Township should periodically update its zoning map, particularly when changes to the zoning districts or changes to the delineation of redevelopment areas, and adoption thereof, are made, to keep the zoning map up to date.

E. The Recommendations of the Planning Board Concerning the Incorporation of Redevelopment Plans

There are no new areas specified for redevelopment study at this time. The Township continues to review areas for redevelopment study consideration.

F. The Recommendations of the Planning Board Concerning Locations Appropriate for the Development of Public Electric Vehicle Infrastructure

At present, the Township has one public electric vehicle (EV) charging station located at the municipal building complex (665 Radio Road). This report recommends the Township review its commercial and industrial districts, public facilities and public parking areas, as well as those managed by other public entities (i.e. state, NJ Transit, county, local, and school district), and business districts to identify areas that may be suitable for EV charging stations.

Existing and proposed EV charging stations in the Township should be reflected in the Land Use Plan and Circulation Plan element of the Township's Master Plan, as well as in the Green Buildings and Environmental Sustainability Plan element, should the Township consider implementing this plan element into their Master Plan.

III. CONCLUSION

Based on the findings of this Reexamination Report, it is evident that a comprehensive update to the entire Master Plan is necessary to address the evolving needs of the Township. The current planning framework, while foundational, must be modernized to reflect the significant shifts in state regulations, infrastructure requirements, and environmental standards that have emerged over the last two decades. To ensure the Township remains a vibrant and sustainable community, a holistic revision is required to better integrate the competing demands of residential and economic growth with the critical need for long-term preservation.

Moving forward, the Township's planning strategy must prioritize resiliency and sustainability as core principles. This involves not only safeguarding environmentally sensitive coastal and upland areas but also designing infrastructure that can withstand the increasing challenges of a changing climate. By updating the Master Plan in its entirety, the Township can establish a proactive vision that balances the preservation of its unique natural character with the development of a modern, connected, and accessible environment.